

EXHIBIT A

1
2 UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK
4 Case No.: 1:21-cv-7955-LAK
and Consolidated Cases 21-cv-7957-LAK
and 21-cv-7959-LAK

-----x
5 MARVEL CHARACTERS, INC.,
6 Plaintiff and Counterclaim-Defendant
7 - against -
8 LAWRENCE D. LIEBER,
9 Defendant and Counterclaimant.
-----x

10 MARVEL CHARACTERS, INC.,
11
12 Plaintiff and Counterclaim-Defendant,
13 - against -

14 KEITH A. DETTWILER, in his capacity as
15 Executor of the Estate of Donald L. Heck,
Defendant and Counterclaimant.
-----x

16 MARVEL CHARACTERS, INC.,
17 Plaintiff and Counterclaim-Defendant,
18 - against -
19 PATRICK S. DITKO, in his capacity as
20 Administrator of the Estate of Stephen J.
Ditko,
21 Defendant and Counterclaimant.
-----x

22
23 October 27, 2022
24 9:35 a.m.

25 *CAPTION CONTINUED ON THE FOLLOWING PAGE.

1
2 VIDEOTAPED DEPOSITION of KEITH
3 DETTWILER, pursuant to Federal Rule of
4 Civil Procedure 30, held at the offices of
5 O'Melveny & Myers LLP, located at 7 Times
6 Square, New York, New York 10036, before
7 Anthony Giarro, a Registered Professional
8 Reporter, a Certified Realtime Reporter and
9 a Notary Public of the State of New York.
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A P P E A R A N C E S :

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Attorneys for Keith Dettwiler

23823 Malibu Road, Suite 50-363,

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BY: MARC TOBEROFF, ESQ.

JAYMIE PARKKINEN, ESQ.

(via Zoom)

ALSO PRESENT:

MARCELO RIVERA, Videographer

ELI BARD, Marvel

(via Zoom)

1 KEITH DETTWILER

2 Dettwiler.

3 THE VIDEOGRAPHER: Counsel
4 that just joined, could you please
5 state your name for the record?

6 MS. LENS: Guess not.

7 K E I T H D E T T W I L E R, after
8 having first been duly sworn by a Notary
9 Public of the State of New York, was
10 examined and testified as follows:

11 EXAMINATION BY

12 MS. LENS:

13 Q Good morning, Mr. Dettwiler.
14 I introduced myself before we began. But
15 just to formally do it on the record, my
16 name is Molly Lens. As you just heard, I
17 represent Marvel Characters, Inc. in this
18 case. And I'll be taking your deposition
19 today.

20 Could you please state your
21 name for the record, please?

22 A Yeah. It's Keith A.
23 Dettwiler.

24 Q And could you state your
25 address, please?

1 KEITH DETTWILER

2 A They're not inaccurate.

3 Q And, again, if I showed you
4 other comics that your uncle had worked
5 on at Marvel, would you have any basis to
6 dispute the accuracy of those credits,
7 sir? You wouldn't, would you?

8 A I wouldn't.

9 Q We can put 20 aside for the
10 time being.

11 I'm going to go ahead and
12 mark as Exhibit 33, a document Bates
13 Stamped DETTWILER14 through DETTWILER127.

14 (The above-referred-to
15 document was marked as Exhibit 33 for
16 identification, as of this date.)

17 MR. TOBEROFF: This is
18 Exhibit -- I'm sorry. What's the
19 number?

20 MS. LENS: 33.

21 Q Fair to say, Mr. Dettwiler,
22 that this document is familiar to you;
23 right?

24 A Yes, it is.

25 Q And what is it, sir?

1 KEITH DETTWILER

2 A It's my uncle's ledgers of
3 what he made of the artwork that he did.

4 Q And this is a document that
5 you found in his files when you went
6 through his materials after his passing?

7 A Well, I had a copy of it,
8 yes.

9 Q You had your sister copy it;
10 correct?

11 A Yes.

12 Q But the original was found
13 in his files after he passed?

14 A The original was found in
15 his house, yes.

16 Q And your sister took the
17 original after he passed or you provided
18 it to her?

19 A I provided it to her.

20 Q So after finding your
21 uncle's accounting notebooks in his house
22 after he passed, you provided them to
23 your sister; yes?

24 A Mm-hmm.

25 Q That's a yes?

1 KEITH DETTWILER

2 A Oh. Yes.

3 Q And subsequently, your
4 sister at your request provided you an
5 accurate copy of those notebooks;
6 correct?

7 A Yes.

8 Q And what we're looking at
9 here is a copy of those copies?

10 A Yes.

11 Q Did you or your sister
12 provide a copy of your uncle's accounting
13 notebook to anyone in connection with the
14 Jack Kirby litigation?

15 A Not that I'm aware.

16 Q Do you have any
17 understanding of how the Kirbys produced
18 a number of pages from your uncle's
19 accounting notebook in that litigation?

20 MR. TOBEROFF: Lacks
21 foundation.

22 A I don't know.

23 Q And you're aware that
24 Mr. Toberoff represented the Kirbys in
25 that litigation; correct?

C E R T I F I C A T I O N

I, ANTHONY GIARRO, a Shorthand
Reporter and a Notary Public, do hereby
certify that the foregoing witness, KEITH
DETTWILER, was duly sworn on the date
indicated, and that the foregoing, to the
best of my ability, is a true and accurate
transcription of my stenographic notes.

I further certify that I am not
employed by nor related to any party to
this action.



ANTHONY GIARRO